



(FW)

PATENT
Attorney Docket No. ITV-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Buehler
SERIAL NO.: 10/659,454 GROUP NO.: 2643
FILING DATE: September 10, 2003 EXAMINER: Not yet assigned
TITLE: Method and Apparatus for Computerized Image Background Analysis

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the foreign patent and non-patent publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

(1) within three (3) months of the **filings date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

(2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and

the requisite Statement is below, **OR**

the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

(3) after the mailing date of a **final action or notice of allowance** but before the payment of the **issue fee**, **AND**

the requisite Statement is below, **AND**

the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

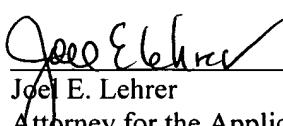
1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or

2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Date: March 15, 2005
Reg. No. 56,401

Tel. No.: (617) 570-1057
Fax No.: (617) 523-1231
VER 11/03



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Attorney Docket No. ITV-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Buehler

SERIAL NO.:

10/659,454

GROUP NO.:

2643

FILING DATE:

September 10, 2003

EXAMINER:

Not yet assigned

TITLE:

Method and Apparatus for Computerized Image Background Analysis

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17 day of March, 2005.


Susan Boucher

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

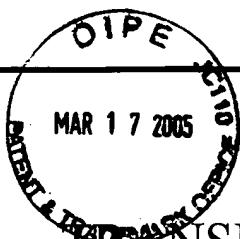
Sir:

Submitted herewith is/are:

1. Transmittal Form (1 page);
2. Third Supplemental Information Disclosure Statement (2 pages);
3. Form PTO 1449 (1 page);
4. Copies of cited references (B7; C4-C7); and
5. Return-receipt postcard.

VER 9/00

LIBA/1513588.1



**TRANSMITTAL
FORM**

<p align="center">TRANSMITTAL FORM</p>	Application Serial Number	10/659,454
	Filing Date	September 10, 2003
	First Named Inventor	Buehler
	Group Art Unit	2643
	Examiner Name	Not yet assigned
	Attorney Docket No.	ITV-002
	Patent No.	Not applicable
	Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form 	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences
<input type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] 	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal	<input type="checkbox"/> Status Inquiry
<input checked="" type="checkbox"/> Third Supplemental Information Disclosure Statement <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Copies of Third Supp. IDS Citations (B7; C4-C7) 	<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above 	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
	<input type="checkbox"/> CD(s) for large table or computer program	
	<input type="checkbox"/> Amendment After Allowance	
	<input type="checkbox"/> Request for Certificate of Correction	
	<input type="checkbox"/> Certificate of Correction (in duplicate)	

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414	Respectfully submitted,  Joel E. Lehrer Attorney for Applicant Goodwin Procter LLP Exchange Place Boston, MA 02109



SHEET 1 OF 1

FORM PTO - 1449 THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT			ATTORNEY DOCKET NO.: ITV-002 APPLICANT(S): Buehler SERIAL NO.: 10/659,454 FILING DATE: September 10, 2003 GROUP: 2643						
U.S. PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME		CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	A51	5,179,441	01/12/93	Anderson et al.		358	88	12/18/91	
	A52	6,798,445	09/28/04	Brummitt et al.		348	207.11	09/08/00	
	A53	2003/0058237	03/27/03	Lee		345	418	06/27/02	
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B7	0 967 584 A2	12/29/99	EP	G08B	13/194	04/29/99	N	Y
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	C4	International Search Report for PCT/US04/033168 dated February 25, 2005							
	C5	Written Opinion of the Internation Searching Authority for PCT/US04/033168 dated February 25, 2005							
	C6	International Search Report for PCT/US04/29418 dated February 28, 2005							
	C7	Written Opinion of the Internation Searching Authority for PCT/US04/29418 dated February 25, 2005							
EXAMINER				DATE CONSIDERED					

VER 9/00